

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS
Proceeding Memorandum/Order

In Re: Roger R. Boulay and Susan L. Boulay

Case Number: 04-46239 (JBR)

Chapter: 13

MOVANT/APPLICANT/PARTIES

#57 Objection of Ch 13 Trustee to Debtors' Motion to Amend Plan and Exemptions; #78 Chapter 13 Trustee and Debtors Statement of Agreed Facts

COURT ACTION:

Show Cause Order	Released	Enforced
<input type="checkbox"/> Granted	<input type="checkbox"/> Approved	<input type="checkbox"/> Moot
<input type="checkbox"/> Denied	<input type="checkbox"/> Denied without Prejudice	
<input type="checkbox"/> Withdrawn in Open Court		
<input type="checkbox"/> Sustained	<u>#57 Overruled</u>	
<input type="checkbox"/> Continued to:		
<input type="checkbox"/> Proposed Order to be Submitted by:		
<input type="checkbox"/> Stipulation to be Submitted by:		
<input type="checkbox"/> Taken Under Advisement		

DECISION SET OUT MORE FULLY BY COURT AS FOLLOWS:

The Chapter 13 Trustee's objection to Exemption of the Annuity is overruled. The Massachusetts statute appears clear on its face that re exemption is available for "the right or interest of any person".

SO ORDERED:

Joel B. Rosenthal
Joel B. Rosenthal

Dated: 6/2/05